

United States Senate

WASHINGTON, DC 20510

July 14, 2009

The Honorable Tom Vilsack
United States Department of Agriculture
14th and Independence Ave, SW
Washington, DC 20250

Dear Secretary Vilsack:

Thank you for your assistance thus far with addressing the recent bovine tuberculosis (TB) finding in Nebraska. However, we are concerned that funding has not been provided to cover the costs of depopulating the initially infected cattle herd.

As you know, under the Animal Health Protection Act (7 U.S.C. § 8316), you have the authority to transfer funds from other USDA and Commodity Credit Corporation accounts to pay indemnities for the depopulation of herds infected with TB. We respectfully request that you utilize this authority to address this clear and immediate need.

USDA has a clear history of using this authority "in connection with an emergency under which a pest or disease of livestock threatens any segment of agricultural production in the United States." We wholeheartedly believe that the current TB situation in Nebraska exceeds this statutory requirement.

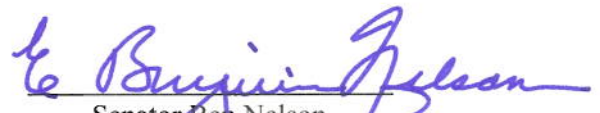
USDA spent a total of \$921,920 on indemnifying four Minnesota herds in fiscal year 2008. Of that amount, \$343,848 was from appropriated funding and \$578,072 was Commodity Credit Corporation funding. The Department's previous record on TB is clear—please act accordingly to ensure that Nebraska's producers receive the same treatment as others have in the past. To do otherwise would be unfair and inequitable.

Depopulation of the TB-infected herd is critical to the economic vitality of our beef industry. Because Nebraska law prohibits the state from paying indemnity for any animal destroyed as a result of being affected with bovine TB, federal assistance is the sole source of livestock indemnity funding. Additionally, TB has affected other states, including California, Minnesota, Colorado, South Dakota, and Texas. This problem could impact the beef industry nationwide, and it is critical that we do everything possible to eliminate it immediately.

We are grateful for your attention to this matter and would appreciate the courtesy of a prompt response.

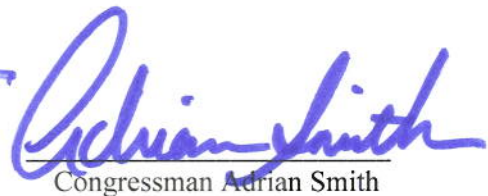
Sincerely,


Senator Mike Johanns


Senator Ben Nelson


Congressman Jeff Fortenberry


Congressman Lee Terry


Congressman Adrian Smith